

No. COA 14-4125 (L)  
14-4151

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	<b><u>From NCMD</u></b>
v.	)	
	)	<b>1:13CR00037</b>
ERNESTO WILLIAMS POLLARD,	)	
	)	
Defendant.	)	
	)	

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**MOTION FOR LEAVE TO FILE SUPPLEMENTAL JOINT APPENDIX**

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The defendant-appellants Ernesto Williams Pollard and Ruben Dutervil, hereby move the court for entry of an order granting leave to file a supplemental joint appendix. The government does not oppose this motion. The grounds for this motion is set forth below.

Defendant-appellants' joint brief made reference to their sentencing that was heard on January 16, 2014. Ernesto William Pollard's sentencing transcript is provided in the joint appendix, however, Ruben Dutervil's transcript was not included. Given that both appellants' sentencing is at issue, Mr. Dutervil's sentencing transcript should be included in the supplemental joint appendix.

WHEREFORE, defendant-appellants respectfully request that the court enter an order granting leave to file a supplemental joint appendix which contains the sentencing transcript of defendant-appellant Ruben Dutervil.

This the 24<sup>rd</sup> day of July, 2014.

By: /s/ Eugene E. Lester III  
Eugene E. Lester III  
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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **MOTION FOR LEAVE TO FILE SUPPLEMENTAL JOINT APPENDIX** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel of record:

Mr. Terry M. Meinecke  
U.S. Department of Justice  
P O Box 1858  
Greensboro, NC 27401

Mr. Thomas H. Johnson, Jr.  
Gray Johnson Blackmon Lee & Lawson, LLP  
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108 North Elm Street  
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This the 24<sup>rd</sup> day of July, 2014.

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